

CERTIFICATE OF EFS FILING

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS on the below date:

Date: January 5, 2010

Name: Edward Machado, Reg. No. 58,372

Signature: (Edward Machado)

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Barth et al.

Appln. No.: 10/518,880

Filed: August 8, 2005

For: LAYER ASSEMBLY AND METHOD FOR
PRODUCING A LAYER ASSEMBLY

Attorney Docket No.: 10808-158 (P28768)

Examiner: Goodwin, David J.

Art Unit: 2818

Conf. No.: 5306

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 CFR §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☒ Previously submitted:

☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.

☒ Please enter and consider the Amendment After Final Under 37 CFR §1.116 previously filed on November 5, 2009.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

☐ Other: _____.

☐ Attached is/are:

☐ An Information Disclosure Statement

☐ An Amendment to the written description, claims, or drawings

☐ New Arguments and/or New Evidence in support of Patentability

☐ Other: _____

☐ Request for suspension of action:

Applicant(s) hereby requests suspension of action on the above-identified application under 37 CFR §1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 CFR §1.17(i)).

☐ Small Entity Status:

- ☐ Applicant(s) hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. ____/____ and such status is still proper and desired.
- ☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

- ☒ A request fee of \$810 under 37 CFR §1.17(e).
- ☐ A suspension processing fee of \$____ under 37 CFR §1.17(i).
- ☐ An additional filing fee of \$____ under 37 CFR §1.16 (____ additional independent claims and/or ____ additional total claims).
- ☒ An extension fee of \$980 under 37 CFR §1.17(a) for a 3-month extension of time (1-month extension fee was previously paid).

☒ Fee payment to cover the above-enumerated fee(s):

- ☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$1,790.
- ☐ A payment by credit card in the amount of \$____ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,

January 5, 2010

Date

/Edward Machado/

Edward Machado (Reg. No. 58,372)